

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jiuhuai Lu, et al.

Serial No.: 10/532,845

Filed: 4/27/2005

For: MOVING PICTURE CODING
METHOD, MOVING PICTURE
DECODING METHOD AND
PROGRAM

Patent Examiner: Lee, Y. Young

Group Art Unit: 2621

June 8, 2009

Costa Mesa, California 92626

37 CFR § 1.131 DECLARATION OF SHINYA KADONO

I, Shinya Kadono, declare as follows:

1. I am one of the named inventors in U.S. Patent Application No. 10/532,845.
2. Until the issue of a rejection of our present invention was brought to my attention based on Figure 24 in the Final Office Action of March 9, 2009, I was not aware of an error in inadvertently leaving the drawing legend "Filter application information" in Figure 24.
3. Figure 1 represents an embodiment of our present invention (see Exhibit A). Figure 24 (see Exhibit B) was modified from our original drawing of Figure 1 and a lead line from the memory unit 501 to the multiplexing unit 508 was removed to represent prior art. The legend "Filter application information" should also have been removed. However, the terminology "Filter application information" was erroneously not removed from Figure 24 in preparing a final draft.

4. Additionally, the output decoded picture was intended to be shown only as an output after the filter 512 as shown in Figure 1, not an output directly from the memory 501 as shown in Figure 24. The translation and formalization of the drawings from Japanese and English carried forward these mistakes.

5. The "Filter application information" as shown in Figure 1 is transmitted through a signal line from the memory 101 to the multiplexing unit 108. It was not intended to be a signal transmit from the switch 504 to the multiplexing unit 508, nor was it to describe a signal output from the memory 501 to the picture output terminal, and it is not a description of the inverse orthogonal transformation unit 510. The term "Filter application information" is an isolated description in Figure 24 and an error that should not have been transcribed into Figure 24. The basis for the terminology "Filter application information" was information as shown in Figure 1 from the memory 101 to the multiplexing unit 108.

6. In Figure 17 another example of describing prior art is disclosed and there is no use of the terminology "Filter application information" in Figure 17.

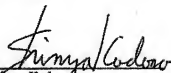
7. Referring to Paragraph 0018 of our current application, Figure 17 and Figure 24 are defined by different terms on the following points. First, as described in Figure 17, the picture is outputted from the memory 501, whereas in Figure 24 the picture is outputted from the filter 512. Second, in Figure 17 the picture for display, that is, the picture to be outputted, is stored in the memory 501, whereas in Figure 24, the picture for display is not stored in the memory but rather the "Filter application information" as stored in the memory, as described at page 15, lines 2 through 3 as follows, "the Filter application information relating to picture to be stored in the memory 101."

8. Therefore (if Figure 24 had been correct), there should have been no differences between Figure 17 and Figure 24 other than the aforementioned two points. In other words, this shows that the words "Filter application information" in Figure 24 were not intentionally described in the figure as a difference between Figure 17 and Figure 24.

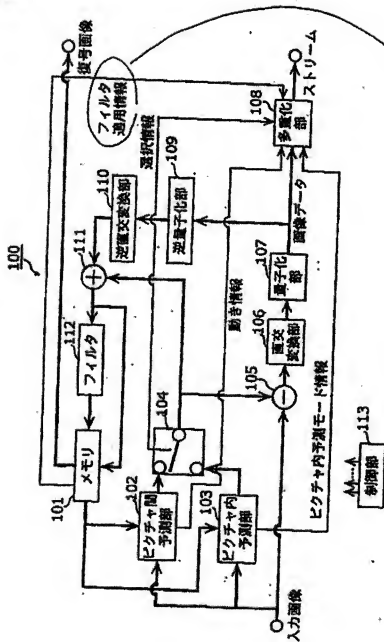
9. We also noted another error which occurred during the drafting of the English language drawing corresponding to Figure 24 of the basic application in the outlet line from the memory 501 for the decoded picture. The basis for our amendment is as follows. From the description "The picture coding apparatus 500a in Figure 24 and the picture decoding apparatus 600a in Figure 25, in comparison with Figures 17 and 23, differ in the respect that they output pictures from the filters 512 and 612 instead of the memories 501 and 601" on Page 8, Lines 1 to 15 of the Specification, we believe that it is clear that the start point of the signal line leading to the output terminal is not the memory 501, but rather the signal line between the filter 512 and the memory 501. This is also clear from Figure 24 of the basic Japanese application shown in Exhibit B.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on 11 June, 2009, at Hyogo, Japan

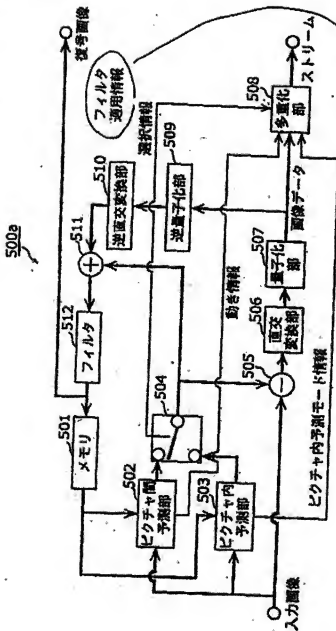

Shinya Kadono

【書類名】 図面
【図 1】



"Filter application information"

【図24】



Inadvertently included.
 (inadvertently NOT deleted
 when this figure was drafted based on
 a copy of figure 1.)